

Amendments to the Drawings:

The attached replacement drawing sheet makes changes to Fig. 4 and replaces the original sheet with Fig. 4.

Attachment: Replacement Sheet 4

REMARKS

Claims 1-3 and 5 are pending in this application. By this Amendment, claim 1 is amended to further distinguish from the cited references. Support for amended claim 1 can be found in the specification at, for example, page 9, line 21 to page 11, line 25, and Figs. 4-5. The specification has been amended to correct informalities. No new matter is added.

The courtesies extended to Applicants' representative by Examiner Stormer at the interview held September 15, 2008 are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicants' record of the interview.

Objection To The Drawings

The drawings were objected to under 37 C.F.R. 1.83(a). Replacement Fig. 4 corresponds to the Examiner's recommendation to obviate the objection. The drawing adds a line break to the left side of the guide skirt body. The left edge of the guide skirt body is then denoted by a rounded "C" shaped section, corresponding to the Examiner's recommendation at the interview. Upper portion 70 is also indicated on Fig. 4. The claims have also been amended to replace "annular" with "circuitous" as shown in the figures.

Further, the language "fixed to the vehicle body" has been removed from claim 1 to obviate the objection.

Thus, for the above reasons, withdrawal of the objection is respectfully requested.

Specification

The specification has been amended to correct informalities. In particular, guide skirt body has been changed to "guide skirt bodies" where appropriate to denote that a guide skirt body is provided on a left and right side of the drive wheel. The term "annular" has been replaced with "circuitous" as recommended by the Examiner during the interview.

Rejection Under 35 U.S.C. §103(a)

A. Claims 1 and 2

Claims 1 and 2 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Case (U.S. Patent No. 3,118,709) in view of Norelius (U.S. Patent No. 1,503,597). Applicants respectfully traverse this rejection.

The Patent Office alleged that Case discloses an endless rubber crawler track for a tracked vehicle, comprising a drive wheel and an idler wheel. The Patent Office admits that Case does not describe a guide skirt, as recited in claim 1. The Patent Office alleges that Norelius overcomes the deficiencies of Case. Applicants respectfully disagree.

The circuitous guide skirt body of claim 1 body has an upper portion and a lower portion (see Fig. 4). Further, as recited in claim 1, the upper portion of the guide skirt body parallels the circular shape of the drive wheel, for about 90 degrees of the drive wheel, from an upper to a lateral portion of the drive wheel with respect to the drive wheel's engagement with the rubber projections (see Fig. 4). The lower portion of the guide skirt body flares outward, to prevent the buildup of mud and debris (see page 8, lines 4-15).

In contrast to claim 1, the supporting rail 16 of Norelius has a different overall design, as agreed during the interview. The supporting rail 16 of Norelius, alleged in the Office Action to be a guide skirt, does not have an upper portion that parallels the circular shape of the drive wheel, for about 90 degrees of the drive wheel, from an upper to a lateral portion of the drive wheel, as recited in claim 1. See Figs. 1 and 2 of Norelius. Further, Norelius does not have a lower flared portion that flares outward from the drive wheel and the upper portion of the guide skirt body, as required by present claim 1 (see Fig. 4 of Norelius). Thus, Norelius does not remedy the deficiencies of Case. Therefore, one having ordinary skill in the art looking from Case to Norelius would not have been led to all the features recited in claim 1.

Thus, withdrawal of the rejection is respectfully requested.

B. Claim 3

Claim 3 was rejected under 35 U.S.C. §103(a) for allegedly being obvious over Case in view of Norelius, as applied to claim 1 above, and in further view of Misawa (JP 63-235182). Applicants respectfully traverse this rejection.

The Patent Office admits that Case and Norelius do not describe the "protruding streak" recited in claim 3. The Patent Office thus introduces Misawa as allegedly describing this feature.

Misawa does not remedy the deficiencies of Case and Norelius. Misawa also does not describe a circuitous guide skirt body having an upper portion and a lower portion, wherein the upper portion of the guide skirt body parallels the circular shape of the drive wheel, for about 90 degrees of the drive wheel, from an upper to a lateral portion of the drive wheel with respect to the drive wheel's engagement with the rubber projections. Misawa also does not describe that the lower portion of the guide skirt body flares outward.

Thus, Misawa in combination with Case and Norelius would not have led one of ordinary skill in the art to claim 3.

Withdrawal of the rejection is respectfully requested.

C. Claim 5

Claim 5 was rejected as allegedly being obvious over Case in view of Norelius, as applied to claim 1 above, and in further view of Johnson (U.S. Patent No. 1,276,929). The Patent Office admits that the gap between the guide skirt and the lugs of the track is not defined in the combination of Case and Norelius.

Johnson does not remedy the deficiencies of Case and Norelius. Johnson also does not describe the circuitous guide skirt body having an upper portion and a lower portion, wherein the upper portion of the guide skirt body parallels the circular shape of the drive wheel, for about 90 degrees of the drive wheel, from an upper to a lateral portion of the drive wheel with

respect to the drive wheel's engagement with the rubber projections. Johnson also does not describe that the lower portion of the guide skirt body flares outward, as recited in claim 1.

Thus, Johnson in combination with Case and Norelius would not have led one of ordinary skill in the art to claim 5.


Withdrawal of the rejection is respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-3 and 5 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:ABW/tca

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